

MICHAEL P. STUPINSKI
First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PETER J. CHARTER
Deputy First Selectman

LAURIE E. BURSTEIN
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD
JOHN W. TURNER

BOARD OF SELECTMEN
February 23, 2009
Town Hall - Meeting Hall

SELECTMEN PRESENT: Laurie Burstein, Peter Charter, Ann Harford, A. Leo Miller, James Prichard [arrived at 7:53 p.m.], Michael Stupinski and Jack Turner

OTHERS PRESENT: Nicholas DiCorleto, Finance Officer; Peter Michaud, DPW Director; Robert Phillips, Town Planner; Sgt. William Konieczny, Resident State Troopers' Office; Atherton B. Ryan, Town Attorney; Jim Thompson, Town Engineer; Paul Potamianos, Budget Advisory Committee Member; Al Lawrence, Mr. and Mrs. C. Miller; Michael J. Burns, Ray Halle, Mike Gallo, Mike Grosso

1. Call to Order:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:45 p.m.

2. Citizens' Forum: No one came forward.

Mr. Stupinski proposed that agenda Item #4 be addressed next, to allow additional time for Mr. Prichard to return from the Planning and Zoning Commission meeting.

4. Computer Service and Maintenance Agreement:

Mr. Stupinski referenced a memo he received from Mr. DiCorleto regarding the status of the Town's Computer Service Maintenance Agreement with The Computer Company, Inc. Mr. DiCorleto recommended to the BOS that the third year of the three-year renewable contract with The Computer Company, Inc. be approved. Mr. Miller asked for clarification regarding the time-frame of this contract. Mr. DiCorleto responded that this renewal would cover the period March 2009 through March 2010. Ms. Harford added that the topic of computer service maintenance has been discussed at Shared Services meetings, and the approval of this contract will provide the time needed to consider adding this function to the Board of Education's IT Department.

MOVED (CHARTER) SECONDED (MILLER) AND PASSED UNANIMOUSLY BY THOSE PRESENT, TO RENEW THE CONTRACT FOR THE TOWN'S COMPUTER SERVICE AND MAINTENANCE WITH THE COMPUTER COMPANY, INC. FOR AN ADDITIONAL YEAR TO MARCH 31, 2010.

A short recess was taken at this time to await Mr. Prichard's arrival.

The meeting resumed at 7:54 p.m

3. Detention Basin Maintenance:

Attorney Ryan reviewed the history of the existing detention basins and the various maintenance agreements that they fall under. Attorney Ryan stressed the importance of clearly setting a policy regarding how detention basins will be handled from this time forward. He noted that since the Town began capitalizing the cost of maintenance, to date, \$221,000 has been voluntarily paid into a fund by 10 different developers. Following the February Town Meeting, there has been a written demand from one developer for the return of the money that was put into this fund. Attorney Ryan said that the developer believes that the Town agreed to maintain the basins at that meeting, which is not accurate. Attorney Ryan stated that it is important to be clear on whether or not the policies that have been in place will remain in place; 1) homeowner is required to maintain detention basin, 2) homeowners create a homeowner's association or 3) developer provides capitalization funds to the Town for the cost of maintenance and DPW provides maintenance. Attorney Ryan said that one question that has to be addressed is who is going to maintain the basins. Mr. Charter asked if the Town does monitor the basins, does this fulfill the Town's responsibility as it relates to the DEP Phase II of the Storm Water Act. Attorney Ryan said that it does. Mr. Turner asked if this holds true also for the commercial and industrial basins that are supposed to be maintained by those entities. Attorney Ryan said that it does. Mr. Turner asked if the Town offers three options to the developers, does this lessen the challenge of an impact fee. Attorney Ryan stated that it does because the option is voluntary. Mr. Charter asked if the Town does take over the maintenance, will the funds that have been collected from the developers be returned. Attorney Ryan stated that, in that case, he would recommend that the funds be returned. Mr. Stupinski added that returning the money is not a fiscal loss to the Town, because that money is in the fund for the specific purpose of maintaining the basins. Mr. Thompson noted that it is important to consider liability issues and any financial impact that would be incurred to insure the detention basins. Mr. Miller said that he looks at the detention basins as the classic attractive nuisance and is concerned with the liability of someone getting injured. Mr. Thompson noted that all basin designs are on a 3 to 1 slope, with no more than a foot of water on the bottom. Mr. Turner asked if the detention basins need to be approved by the DEP; and once they are in place, what is to stop someone from altering the basin to a non-approved state. Mr. Thompson said that he would monitor the detention basin during construction, and if he had any concerns, he would refer the developer to the DEP for approval. Mr. Miller asked Robert Phillips for his opinion on the question of impact fees. Mr. Phillips stated that he agrees with Attorney Ryan, that offering the developers choices makes the current policy sufficient; and that a clear and transparent policy is needed. He also added that he believes that the Town is in the best position to maintain the detention basins.

MOVED (CHARTER) SECONDED (HARFORD) AND PASSED UNANIMOUSLY, TO CONTINUE TO FOLLOW THE PRESENT DETENTION BASINS MAINTENANCE POLICY, ITEM C, 1 THROUGH 3, AS WRITTEN. **(Attached)**

Mike Gallo asked if homeowners have the option of pursuing policy item #1.3 on their own. Attorney Ryan stated that he did not see any reason why they would not be able to, if they choose.

5. 2009-2010 Budget:

The BOS reviewed the proposed 2009-2010 Budget and made the following comments:

Mr. Turner stated that he has reviewed the proposed budget thoroughly and he does not see any places to make cuts, except possibly salaries. Mr. Stupinski agreed that there are very few options for making cuts and he had no recommendations. Mr. Turner commended the Department Heads, who he said did a very good job in minimizing the impact. Discussion was held regarding obligations and options for reducing salary accounts. Mr. Stupinski explained several options and outlined the Town's obligations as they relate to union contracts, seniority, department size, overtime and other salary-related issues. No proposals were made.

Line 1060 – Building Demolitions/Evictions: Mr. Turner asked Mr. Michaud if this account needs to carry \$20,000 since only \$1,500 was spent this year. Mr. Michaud said that he left the \$20,000 in that line item because there are three properties that need to be cleaned up. Mr. Stupinski noted that Mr. Michaud needs to have that money in the fund based on the upcoming projects, but sometimes projects are delayed for one reason or another.

Line 795 – Senior Center: Ms. Harford asked for clarification regarding the increase in the cost for the Senior Center. Discussion was held and Mr. DiCorleto noted that most of the increase is for van driver services, for which there is an increased demand, with other transportation companies cutting their services.

Mr. Stupinski noted that he will make a recommendation that beginning next budget year the backup sheets include comparative detail from year to year.

Line 950 – Insurance (Line 5151 Anthem BC/BS): Mr. Miller expressed concerns regarding the cost of insurance for Town Employees. He suggested that the budget could withstand a decrease of \$103,547. Mr. DiCorleto noted that the budgeted amount allows for a 20% increase in premiums, as well as potential changes in employee status, and he did not recommend reducing this account. Mr. Charter added that in prior years, any surplus in this account has been transferred to different areas of need; therefore, he is in favor of budgeting high, on the conservative side. Mr. Charter stated that the Finance Director has proven that there is a need to have contingencies built into this account. Mr. Miller said that he will support \$1,000,000, but he will not support \$1,103,547.

MOVED (MILLER), SECONDED (BURSTEIN) AND FAILED [AYE: MILLER/BURSTEIN; NAY: CHARTER/TURNER/HARFORD/PRICHARD], TO REDUCE THE BUDGET BY \$103,547 TO REFLECT A REDUCTION IN SUBLINE #5151 OF LINE #950.

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED [AYE: PRICHARD/CHARTER/HARFORD/TURNER/BURSTEIN; NAY: MILLER], TO RECOMMEND TO THE BOARD OF FINANCE THE BOARD OF SELECTMEN APPROVED TOWN BUDGET FOR FISCAL YEAR 2009-2010, A GRAND TOTAL AMOUNT OF \$13,249,145. **(BUDGET TABLE ATTACHED)**

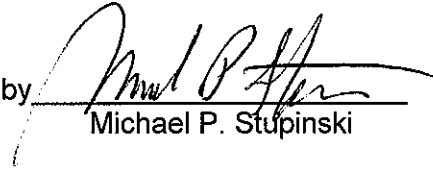
6. Adjournment:

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, TO
ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:10 P.M.

Submitted by


LouAnn Cannella

Approved by


Michael P. Stupinski

DETENTION BASIN MAINTENANCE

A. DEFINED:

1. Man-made low area to contain drainage from a property
2. Controls outflow to obtain zero increase in rate of discharge
3. Permits settling of silt and solids to discharge cleaner water

B. REQUIRES MAINTENANCE

1. Requires periodic maintenance to remove silt, leaves and debris
2. May require repairs to structure, earth banking or pipes
3. Failure to maintain will result in claims by downstream owners of excess flow and damage and will violate the Town's General Permit by which the Town is responsible to implement training, maintenance and control of all discharges to comply with the Clean Water Act.

C. PAST POLICY

1. Developer given choice
 - 1.1 Put basin on a lot and require lot owner to maintain
 - 1.2 Create a homeowners' association to maintain
 - 1.3 Capitalize the cost of maintenance and deposit with Town and DPW will provide maintenance
2. In all cases Town took an easement to permit inspections and maintenance in the event designated person did not
3. Easement provided that Town could claim cost of maintenance from person responsible – collection would be an issue

D. DRAFT ORDINANCE – FAILED

E. PRESENT POLICY TO BE DETERMINED

1. Reinstate past policy
 - 1.1 Finance Officer has fund for 10 subdivisions
 - 1.2 Total capitalized cost = \$221,078.71
 - 1.3 Total income = \$10,261.21
 - 1.4 Fund balance = \$231,339.92
2. Decide that Town should take over all basins as part of road system
 - 2.1 Cost of maintenance would become part of DPW budget
 - 2.2 Easements for maintenance would be same but no recapture of costs
 - 2.3 Should existing deposits be returned to developers?
3. Decide if basins on commercial, industrial and residential condominium projects to remain the responsibility of the Owners?

BUDSEL09-10													
DESCRIPTION	TOWN OF ELLINGTON												
	BUDGET EXPENDITURE REQUEST												
	FISCAL YEAR 2009-10												
	BOARD OF SELECTMEN												
	2007-08 ACTUALS	2008-09 APPROVED BUDGET	2008-09 TRANS/ ADDTL APPROP	(A)		2008-09 ADJUSTED APPROVED BUDGET	2008-09 FIRST SIX MONTHS TOTAL	2008-09 ESTIMATED TOTAL EXPEND	2008-09 (OVER) UNDER	(B) 2009-10 DEPART- MENT REQUEST	2009-10 BOARD OF SELECTMEN (REDUCTIONS) INCREASES	2009-10 BOARD OF SELECTMEN (REDUCTIONS) INCREASES	2009-10 BOARD OF SELECTMEN (REDUCTIONS) INCREASES
TOTAL	3,524,656	3,817,468	0	3,817,468	588,212	3,943,184	(125,716)	3,987,550	0	3,987,550	0	3,987,550	170,082
CULTURAL ARTS & RECREATION													4,450%
580 SHENIPSIT LAKE RECREATION	0	0	0	0	0	0	0	0	0	0	0	0	0
585 CRYSTAL LAKE-WATER MONITOR	2,500	5,000	0	5,000	920	5,000	0	25,000	0	25,000	0	25,000	20,000
TOTAL	2,500	5,000	0	5,000	920	5,000	0	25,000	0	25,000	0	25,000	400,000%
SOCIAL SERVICES													
770 NORTH CENTRAL HEALTH DIST	52,461	55,181	0	55,181	27,590	55,181	0	57,272	0	57,272	0	57,272	2,091
780 WELFARE	14,095	15,000	0	15,000	6,821	15,000	0	15,000	0	15,000	0	15,000	0
790 MUNICIPAL AGENT	2,011	2,000	0	2,000	1,141	2,000	0	2,000	0	2,000	0	2,000	0
795 SENIOR CENTER	132,266	149,658	0	149,658	70,217	156,988	(7,330)	167,375	0	167,375	0	167,375	17,717
TOTAL	200,853	221,839	0	221,839	105,769	229,169	(7,330)	241,647	0	241,647	0	241,647	19,808
TOWN PROPERTIES													8,930%
810 TOWN HALL	360,834	383,278	0	383,278	239,742	439,778	(56,500)	390,410	0	390,410	0	390,410	7,132
820 CENTER CEMETERY	500	500	0	500	500	500	0	3,700	0	3,700	0	3,700	3,200
830 BATZ PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	640,000%
840 ARBOR COMMONS	14,767	18,000	0	18,000	7,565	17,300	700	18,000	0	18,000	0	18,000	0
850 PINNEY HOUSE	0	100	0	100	0	100	0	100	0	100	0	100	0
860 OLD CRYSTAL LAKE SCHOOLHOUSE	0	0	0	0	0	0	0	18,000	0	18,000	0	18,000	0
TOTAL	376,101	401,878	0	401,878	247,807	457,678	(55,800)	430,210	0	430,210	0	430,210	28,332
DEBT SERVICE													#DIV/0!
910 DEBT REDEMPTION-PRIN	2,393,283	2,162,623	0	2,162,623	1,289,195	2,162,623	0	2,267,740	0	2,267,740	0	2,267,740	105,117
920 DEBT REDEMPTION-INT	978,429	892,416	0	892,416	481,871	892,416	0	900,147	0	900,147	0	900,147	7,731
TOTAL	3,371,712	3,055,039	0	3,055,039	1,751,066	3,055,039	0	3,167,887	0	3,167,887	0	3,167,887	112,848
FIXED CHARGES													3,690%
930 SOCIAL SECURITY	274,319	300,307	0	300,307	151,318	306,920	(6,613)	322,737	0	322,737	0	322,737	22,430
950 INSURANCE	1,481,746	1,809,900	0	1,809,900	710,179	1,609,500	200,400	1,869,812	0	1,869,812	0	1,869,812	59,912
960 SERVICE INSURANCE	56,000	67,180	0	67,180	67,180	67,180	0	67,180	0	67,180	0	67,180	0
TOTAL	1,812,065	2,177,387	0	2,177,387	928,677	1,983,600	193,787	2,259,729	0	2,259,729	0	2,259,729	82,342
MISCELLANEOUS													3,780%
1020 ADHOC ALCOHOL DRUG CONCIL	7,584	7,000	0	7,000	0	7,000	0	7,000	0	7,000	0	7,000	0
1025 ADHOC GRADUATION COMMITTEE	0	0	0	0	0	0	0	5,000	0	5,000	0	5,000	5,000
1030 MEMORIAL DAY COMM	1,646	1,700	0	1,700	0	1,700	0	1,700	0	1,700	0	1,700	0
1035 CHARTER REVISION COMM	3,756	0	0	0	0	0	0	0	0	0	0	0	0
1040 MISCELLANEOUS	1,920	2,000	0	2,000	2,384	2,656	(656)	2,000	0	2,000	0	2,000	0
1045 GASB-OREB	0	0	0	0	0	0	0	0	0	0	0	0	0
1050 REFERENDUM/PRIMARIES	8,779	25,000	0	25,000	4,933	25,000	0	25,000	0	25,000	0	25,000	0
													0.000%

